

Hawaiian Gazette.

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HONOLULU, H. T., FRIDAY, JUNE 17, 1904—SEMI-WEEKLY.

WHOLE No. 2599.

RUSSIAN BATTERIES CUT TO PIECES BY SHELLS OF JAPANESE GUNNERS



COSSACKS IN RETREAT.

Gen. Stakelberg Reports Heavy Losses in His Latest Battle—Bobrikoff's Assassin.

(ASSOCIATED PRESS CABLEGRAMS.)

ST. PETERSBURG, June 17.—Gen. Stakelberg reports that his losses were heavy in the battle of Tilissu. The third and fourth batteries of the First Artillery were literally cut to pieces by the Japanese shells.

AFTERNOON REPORT.

ST. PETERSBURG, June 16.—The Vladivostok squadron has returned to port.

TOKIO, June 16.—The Japanese have captured Siuyen. Chinese bandits aided the Russians.

TOKIO, June 16.—The transports Kitachi and Sado have been sunk by torpedoes. The survivors number 530.

ST. PETERSBURG, June 16.—General Stakelberg has been forced to retreat before a superior force at Vafangow.

ST. PETERSBURG, June 16.—Governor General Bobrikoff of Finland has been fatally shot. His assassin committed suicide.

Washington, June 16th, 1904.
(Received 12:35 p. m.)

To JAPANESE CONSUL, Honolulu:

The commander of our army in the Liaotung Peninsula reports as follows: "On June 14th our main body advanced northward in two columns along the railway, expelling enemy from the east of Wafantien. At 5 p. m., enemy made stand on the line from Lungwangmiao to Tafangshen and after two hours' cannonade we occupied at nightfall the line from Panchiaton to Luhoton.

Another column, for menacing enemy's right and covering our flank and rear, marched east of Foochow, advanced upon line from Tengchia to Nanchilialing. The enemy near Lungwangmiao increased its strength on June 15th. The enemy near Telissu consisted of two and a half divisions, occupying the position from Tafanshan to Chengtsushan.

At dawn we opened the attack. Our main body advanced along one column from Souchiaton. At 9 a. m. our left wing column joined from Tungtungkow and at noon the cavalry from Choachianton came up; thus the enemy was surrounded near Telissu and after severe fighting was routed northward at 3 p. m. Our losses were estimated under 1,000 so far as known. We captured the enemy's colors, 14 quickfiring and about 300 prisoners, including the commander of the Fourth Regiment Infantry Sharpshooters. The enemy left over 500 killed and wounded on the field. Our scouts saw the enemy marching with the Japanese flag in this engagement, whereupon our artillery, being misled, suspended fire.

TAKAHIRA.

LIAOYANG, June 16.—The Japanese, in tremendous strength, attacked the Russians at Vafangow and were repulsed with terrible loss. Three squadrons of Japanese dragoons were annihilated and sixty men captured. The Russian loss is 311. Colonel Khvasteroff was killed.

TOKIO, June 16.—Unofficial news has been received of a Japanese victory near Fushou, seventy miles from Port Arthur. The Russians lost 1,000 men and retreated in disorder leaving their guns. Seven hundred Russians fled to Kaichow.

TOKIO, June 16.—The Japanese fleet is pursuing the Vladivostok squadron, moving eastward.

GLIMPSES OF THE WAR IN MAINLAND PAPERS

Stoessel's Report on Kinchou—Kuropatkin Praise the Japanese—Russians Removing Ammu- nition—Order at Dalny.

ST. PETERSBURG, June 3.—Lieutenant-General Zilinsky, chief of staff to General Kuropatkin, transmits to the Minister of War, under date of June 2d, a report of General Stoessel, dated Port Arthur, May 28th, as follows:

"After a fierce battle, lasting two days, I ordered our positions at Kin Chou to be evacuated in the evening, for we had opposed to us at least three divisions, with 120 guns.

"The enemy's fire, particularly that from four gunboats and six torpedo boats, annihilated our batteries, mounted at Kin Chou. The Fifth Regiment, which was posted on this spot, stood its ground heroically. The fire of this regiment, as well as that of our batteries and the gunboat Bobr, off Khounoueza, inflicted enormous losses on the Japanese.

"Our losses amounted to thirty officers and 800 men killed or wounded. We blew up or damaged all our guns which the Japanese had not put out of action. It would have been inexpedient, certainly, to bring up siege artillery during the fierce fighting.

"The battle on May 26th began at 5 a. m. and ended at 8 p. m., when I ordered the position evacuated gradually. The explosion of a number of our mines and fougades was rendered impossible by the Japanese, who turned our position immediately. The Japanese advanced through water up to their waists under the protection of the ships. The spirit of our troops is excellent."

General Stoessel refers in terms of the highest praise to the skill and courage displayed by General Fock, whom he recommends for the St. George cross. He does not mention that Fock was wounded, from which the general staff assumes that the report to this effect was untrue.

As General Stoessel especially praises a regiment which was not in General Fock's division, the general staff concludes therefrom that five regiments, or about 12,000 men, were engaged on the Russian side.

KUROPATKIN PRAISES JAPANESE.

NEWCHWANG, June 3.—Every effort on the part of the Russians to communicate with the southern part of the Liao Tung peninsula has resulted in failure. The Japanese are in control of all avenues of communication, and they allow no messages to pass. With the exception of the authorities, the Russians in Newchwang are daily growing more depressed at the outlook. An officer of high rank who has arrived here from Mukden spoke as follows concerning General Kuropatkin:

"He is awakening to the fact that the Japanese are worthy of praise. He declares that their recent operations prove them to be among the greatest strategists in the world, and to this must be added great daring, capacity for work, and ability to stand punishment.

SIX HUNDRED MAY HAVE BEEN LOST WITH SLOCUM

Nearly Five Hundred Bodies Have Been Recovered and More In the Hold.

(ASSOCIATED PRESS CABLEGRAM.)

NEW YORK, June 15.—The excursion steamer General Slocum, carrying a Sunday school to a picnic up the East river, took fire yesterday and was beached at Hell Gate, where she burned to the water's edge and sank. There was a terrible loss of life. Four hundred and eighty-three bodies have been recovered and it is believed that 600 perished. Divers say the hold of the vessel is choked with bodies. The General Slocum carried 1500 passengers. The fire originated in the lunch-room by the overturning of a pot of grease. A terrible panic prevailed and hundreds jumped overboard and were drowned. The Slocum made a dramatic run to the North Brother island where she was beached. The flames were fanned to a fury by a head wind and consumed hundreds. Men and women fought each other, trampling scores of children to death. Tugs and rowboats rescued many. The captain and two pilots of the vessel were arrested. The excursion was under the auspices of St. Mark's German Lutheran church.

ment. The general did not believe this before, but now it has been demonstrated."

The mills at Harbin are being worked day and night in grinding Manchurian wheat, and their daily output is estimated conservatively at 750,000 pounds of flour. The Russian authorities are encouraging the farmers to plant larger crops than ever before. They are not depending on the Trans-Siberian Railroad for the transportation of supplies.

RUSSIANS TAKING MUNITIONS FROM LIAO YANG.

LONDON, June 3.—No further light has been thrown on the rumors concerning General Kuropatkin's intentions. Dispatches in the "Morning Post" from Shanghai and to the "Chronicle" from Newchwang repeat the reports of the movement of 15,000 Russians to Kaiping. The correspondents assert that five days' fighting took place at Wafangtien and that the Russians are employing 4,000 carts to remove munitions from Liao Yang to Kai Yuen, seventy miles north of Mukden. The "Post's" Shanghai correspondent also says that General Mistchenko has sent 4,000 cavalry of the Imperial Guard from Kuang Cheng Tsu to cut off the Japanese at Pitzwo. No great reliance, however, should be placed on these dispatches, which have evidently some common Chinese origin.

The "Daily Mail's" correspondent at Mukden, telegraphing under date of June 3d, says that fighting occurs daily beyond Liao Yang, but that a decisive battle is not expected for some time. The Japanese plan of campaign is regarded at Mukden as now having been definitely disclosed. They occupy the Liao Tung peninsula in three divisions between Nengalen (Nakwanling) and Wafangtien, with a line of communication by the coast to their position at Feng Wang Cheng.

JAPANESE DRIVE RUSSIAN FORCE.

TOKIO, June 3.—A body of Japanese cavalry encountered and defeated a mixed force of Russian cavalry, infantry and artillery near Lichaton, nine miles north of Pulandien on Monday last, May 30th. The engagement began at 12:30 p. m. and lasted for two hours, the Russian troops being finally driven northward. The Japanese had twenty-six men killed, including one officer, and thirty-seven wounded, including four officers. The movement of the Russian forces southward indicates a possible effort to relieve Port Arthur. The Russian losses are unknown.

The fighting reported from Tokio as having occurred near Lichaton, nine miles north of Pulandien, on Monday last, is evidently identical with the engagement reported from Liao Yang May 30th as having occurred at Vagenfuchu (possibly near Wafangtien), which is about nine miles north of Pulandien, on the Liao Tung peninsula. It was in this engagement that the Cossacks, under General Samsomoff, were reported to have annihilated a squadron of Japanese. The Japanese were commanded by General Akkima.

ORDER AT DALNY.

CHE FOO, June 4.—A Chinese passenger on a junk which has arrived here from Dalny states that he was at Port Arthur recently, and that the Russian forces there, inclusive of sailors, numbers 40,000 men only. The four larger vessels of the Russian fleet are undamaged, but all the others are in the hands of the repairers. The Japanese have restored order at Dalny and Taitienwan, and have driven out the bandits. Dalny, according to the passenger's story, was not badly damaged by fire. Only the old town was destroyed.

PU LUN'S MOVEMENTS.

NEW YORK, June 17.—Prince Pu Lun has sailed for France.

GARNISHEE LAW VOID

So Contended by Judge Philip Weaver.

(From Thursday's Advertiser.)

F. J. Testa yesterday came to the end of his fight against being tried under his indictment for criminal libel. Judge De Bolt having denied defendant's second motion to quash the indictment, defendant put himself on the trial jury by pleading not guilty. Between Testa's two motions to quash, a demurrer had been presented and overruled. A former indictment was quashed on the ground that the grand jury was illegally constituted and that body then being reconstituted against a new indictment which, after sustaining a series of attacks, is found valid.

RICHARDSON RELEASED.

Edward Vivian Richardson, formerly clerk of Honolulu Water Works, had all five indictments against him for embezzlement of public money dropped yesterday. W. S. Fleming for the Territory asked for a nolle prosequi in each case, which was granted. The reason for this proceeding was the incompetency of the grand jury that investigated the cases, as found by Judge De Bolt in another case returned by the same body. Richardson will be brought before the reconstituted grand jury.

NOTLEY TESTAMENTS PERSIST.

In the matter of the controversy over the will of Charles Notley, a second motion for rehearing has been filed by Kinney, McClanahan & Cooper, counsel for contestants. The Supreme Court, in its decision overruling the first motion for a rehearing, maintained that the reference in its original opinion to the necessity for clear and convincing evidence of undue influence was not relied upon by the Court in determining that the trial judge properly directed the jury to return a verdict for proponents of the will. This part of the decision on rehearing, it is alleged, "has come and rightly come as a surprise to contestants' counsel." They say they were led to believe from the language of the main decision that the trial judge was sustained upon the proposition "that where a will is sought to be set aside on the ground of undue influence, and the proofs of such undue influence are circumstantial and not direct, the evidence must be clear and convincing or the court will be justified in refusing to allow the case to go to the jury."

Since the appellate court says that was not the controlling point with it, counsel for contestants now desire to be heard on the finding of the Supreme Court "that there was no evidence of a general controlling influence by Emma Danford over decedent." They claim: "That the reference by the Court in its original opinion to the necessity of clear and convincing evidence was such, and couched in such language, that contestants are entirely excusable for having framed their first motion for rehearing on that theory and for having concentrated their efforts thereon."

They except to the Court's finding, for the first time it passed thereupon as they claim, "upon the issue whether or not there was any evidence of a general controlling influence by Emma Danford over decedent." They ask for a rehearing upon that point, "on the ground that such finding by the Court is a palpable error and a grievous wrong to these contestants."

Finally: "Contestants ask further for a rehearing of the decision by the Supreme Court to the effect that motion for rehearing should not be made or entertained if made merely with the hope that by a reargument upon the same issue the mind of the Court may be changed. Such decision of the Court being contrary to controlling decisions on that point and not having been raised or argued at the hearing of contestants' first motion for a rehearing."

W. J. Glenn was tried and found guilty, before Judge De Bolt yesterday, for assault with a deadly weapon upon Frank Bush. Glenn and Bush were bluejackets of the U. S. training ship Adams. While ashore on liberty they quarreled at Iwilei, when Glenn wounded Bush with a knife. The court sentenced the defendant to imprisonment at hard labor for three months and payment of costs. M. F. Pomeroy appeared for the Territory, and S. F. Chillingworth for the defendant. The jury consisted of Edgar L. Lewis, Jas. J. Diaz, Geo. Coffey, C. J. Ludwigsen, J. W. L. McIntire, N. Watkins, S. K. Paine, Edmund Norris, Gus Childs, J. A. Lewis, Geo. H. Craig and E. O. K. East.

HILL WATERFRONT CASE.

The great Hill waterfront situation came to a head yesterday when Judge De Bolt refused to grant a writ of habeas corpus to a group of men who were being held in custody by the military authorities. The judge's decision was based on the fact that the military authorities had shown good cause for the detention of the men.

MOANA HOTEL DRINKABLES.

A. M. Brown, High Sheriff, makes answer to the reply of suit of Hawaiian Trust Co., Ltd., with relation to 1631 bottles of wine, mineral water, etc., denying that the plaintiff is the owner of the property and saying that, at the time of the alleged taking thereof, the property was in the Moana Hotel Co., Ltd. Further the defendant claims that the property was legally taken under execution on a judgment in favor of Lewers & Cooke, Ltd., against the Moana Hotel Co., Ltd., and asks for judgment against the plaintiff for the peaceable possession of the wines, etc.

GARNISHEE LAW ATTACKED.

Philip L. Weaver files a motion to set aside the garnishment of his salary as Judge of the Court of Land Registration, in the suit of Kapiolani Estate, Ltd., vs. W. R. Castle, trustee, P. L. Weaver et al., on the ground that the court has no jurisdiction to issue such an order, because:

"1. The garnishment based upon the statute (Act 53 Session Laws 1903) does not apply to the above entitled cause, for said cause is not a suit by a creditor against his debtor within the meaning and intent of said statute.

"2. The said statute (Chapter 50 Session Laws 1890 as amended 1903, Act 53) is illegal and void, being contrary to the constitution of the United States and particularly in violation of Amendment 14 thereof, which guarantees the equal protection of the laws."

WILCOX ESTATE INVOLVED.

On the petition of W. O. Smith, executor of the will of William Luther Wilcox, deceased, for an order to sell real estate, Judge De Bolt has issued an order to all parties in interest to show cause on Monday, June 27, at 9 a. m., if any they have, why an order should not be granted for the sale of said real estate.

The reason given for the petition is that the personal property belonging to the late Judge Wilcox's estate is insufficient to pay the debts of the deceased and of the estate. It is shown by the petition that the total amount of claims presented to the executor and allowed, and which have not been paid, is the sum of \$58,744.99, in addition to which there is accrued interest on notes and mortgages, up to February 29 last, amounting to \$3723.95. The total valuation of the personal property, as of February 29, is \$11,302.

William Luther Wilcox died seized of real estate in Honolulu and other places in the Territory of Hawaii. Much of the land is mortgaged, the total amount of mortgages thereon and on corporation stocks belonging to the estate being \$39,950. In his first account as executor the petitioner showed an indebtedness to him of the sum of \$385.08.

It is set forth that one of the principal assets of the estate is the Wilcox Pot Factory at Kailua, and the petitioner believes it could be sold to best advantage along with the lands connected therewith, as a whole.

The schedules attached show 18 Kailua lands aggregating 78.30 acres. Other lands consist of a lot on Queen street, Honolulu, containing 8435 square feet; a lot on Tantalus, 60-100 acre; a Waikiki lot, two Pearl City lots; two lots in Puunui, containing 7.73 acres; a lot in Puunui tract, Honolulu, 2.68 acres; land at Pukoo, Molokai, 82.57 acres; the ill aia of Puunui, Molokai; lot at Kahana, Oahu, 4.60 acres; 2 shares of the Hul Aina o Kahana; all the interest of W. L. Wilcox in the estate of A. Wilcox, deceased, being a 13-84th of 15 pieces of land in the district of Hanalei, Kauai, aggregating between 700 and 800 acres.

HOTEL'S LIABILITY DENIED.

Moana Hotel Co., Ltd., makes a general denial to the complaint of Dr. Francis Howard Humphris, in which damages of \$20,000 are asked on account of injuries sustained in defendant's hotel elevator.

GORMAN'S SALARY HELD UP.

Judge Robinson has given judgment by default in the suit of Hiram Kiley against the defendants Frederick Kiley and James B. Gorman for the amount sued for, \$1770.67, together with \$70.82 interest, \$51.76 attorney's commissions and \$20 costs. Judgment is also given against J. H. Fisher, Auditor of the Territory, for \$250 retained in his hands in the form of warrants drawn in favor of Gorman as a Government beneficiary.

COURT NOTES.

Chief Justice Frear again adjourned the Supreme Court yesterday. Justice Hatch is expected in the steamer Siberia on Friday, and the reconstituted Supreme Court—Frear, Hartwell and Hatch—will in that event hold its first session on Monday.

Judge Gear appointed J. J. Dunne as guardian of Aluli and Pillwali, minor children of Paupau (w), deceased, under a bond of \$1500.

Judge Gear yesterday took under advisement the Parker Ranch injunction case.

Made



Every day

ARMY POST LAND DEALS END BY PASSING DEEDS

The United States Now Has Fee Simple Ownership in the Site for a Great Military Post Near Honolulu.

The transfers of Kahauiki leaseholds to the United States of America for the purposes of a military post have been recorded in the Registry of Conveyances. Fee simple title to the property, or at least the greater portion thereof, was already vested in the United States Government, as it belonged to the public lands of Hawaii and was proclaimed as an army reservation some time ago.

There are four conveyances, the principal one being from The Dowsett Company, Limited, which states in a preamble that "one James I. Dowsett, on the 2nd day of July, A. D. 1888, leased from the Kingdom of Hawaii, through and by its Commissioners of Crown Lands, for the period of twenty-five (25) years, by and through that certain lease recorded in Liber 115, page 119, in the office of the Registrar of Conveyances of the Territory of Hawaii, to which said lease special reference is hereby made, certain lands at that time belonging to the Kingdom of Hawaii, situated about two (2) miles west of Honolulu in the District of Kona, on the Island of Oahu, then in the Kingdom of Hawaii, but now in the Territory of Hawaii, in the United States of America, consisting of about thirteen hundred and forty-four (1344) acres, and commonly known and called the Reservation or Ahupuaa of Kahauiki."

It is then stated that The Dowsett Company, Limited, "is now the owner of all of the interest of the said James I. Dowsett, acquired under and by the terms of said lease, and the United States of America is now the owner in fee simple of said lands, subject to said lease."

The closing section of the preamble states that "it is the desire of the United States of America to construct on that portion of said lands" described in the deed, "prior to the expiration of the term of said lease, a military post," and for that purpose to purchase from the Dowsett corporation all of its estate, etc., described, and that it is the desire of The Dowsett Company, Limited, to transfer to the United States of America all of its right, etc., in and to said lands.

Then, for the consideration of the sum of seven thousand five hundred dollars

(\$7500) lawful money of the United States of America, to it in hand paid, The Dowsett Co. conveys in the usual phraseology and described by metes and bounds to the United States all the estate, right, title, interest, etc., of the lands so described.

The indenture made April 30, 1904, was signed by The Dowsett Company, Limited, by its president, E. F. Bishop, and its treasurer W. F. Dillingham, and acknowledged before R. W. Atkinson, a notary public of the First Judicial Circuit, on June 3, 1904.

THE OTHER DEEDS.

By an indenture made on June 6, 1904, the Star Dairy Company, Limited, conveys to the United States of America, for the consideration of ten thousand dollars (\$10,000), all the estate, right, title, interest, etc., in a certain tract of land situate in the Ahupuaa of Kahauiki (said Ahupuaa being more fully described in the General Order No. 147 of the War Department of the Government of the United States, dated Washington, August 10, 1899), the lands in question comprising about twelve hundred (1200) acres and being those described in a lease made July 1, 1897, between James I. Dowsett and John Grace. Under a resolution of its board of directors the Star Dairy Co. signs the deed, by its vice president, Sarah J. Grace, and its secretary and treasurer, J. Alfred Magoon, who also acknowledge the instrument on June 6, 1904, before F. W. Wundenberg, notary public.

Sarah J. Grace, widow of John Grace, on June 6, 1904, conveys to the United States of America, for the consideration of \$1000, all of her interest in a certain tract of land in the Ahupuaa of Kahauiki, described by metes and bounds, containing an area of 93,500 square feet.

The sixteen partners in the firm of Bow Lung Wai, together with Yee Choy, Sing Loy and J. S. Antonio, on June 6, 1904, convey to the United States of America, for the consideration of five hundred dollars (\$500) all of their interest in a certain tract of land in the Ahupuaa of Kahauiki, described by metes and bounds, and containing an area of 14,875 square feet.

In the deeds of the Star Dairy Co. and Mrs. Grace, the privilege is reserved of removing all of the buildings owned by the grantors from the premises within ninety days.

careful attention to the exceptions taken to his report. The sardines in question were destroyed with consent of the owner. A sample box is presented herewith. Orders for the destruction of questionable food have generally met with ready compliance.

Reference here is to a paragraph of the Commissioner's report struck out before publication by motion at the previous meeting. The sardines had been sent from Hilo by Inspector Bowman.

President Pinkham orally reported that he had appointed H. A. Myhre as assistant to the Food Commissioner, to collect samples of milk. No direct compensation was promised. Mr. Duncan making some arrangement on his own part. Approved.

SANITARY IMPROVEMENTS.

"Your officers are constantly met with appeals from making sanitary improvements on account of the depressed financial situation. Many of the appeals are vital to those making them and every possible leniency is shown. There is, however, a class who are able to put their property in condition who are reluctant to do so, although unquestionably it is something of a hardship. We feel it is imperative many of these holdings receive immediate attention and your president has personally taken these cases in hand.

NEW ASYLUM BUILDINGS.

"I have requested the plans for the new Insane Asylum buildings be placed before you for your action at the meeting of June 29.

LIVE STOCK INSPECTION.

"The matter of inspection of importations of live stock has had attention as per request of your committee and has been submitted in form to the Acting Governor for his suggestions as the execution of the law and regulations are under his direct appointees.

PETITION DENIED.

"Mrs. Alapai has been at the Settlement for only two months and has no need of a kokua, hence the denial of her request is suggested."

UNWELCOME LEGAL OPINION.

"The Attorney General has submitted several opinions. The one concerning holding two offices affects the district of North and South Kona, where the district was created by Mr. E. S. Ford, who should have been making a full study of the law, which is so small a matter and which is so much in the hands of the Attorney General. The Attorney General's opinion is that the district should be abolished."

MAIL WATER CONTROVERSY.

"The matter of the water controversy between the Hawaiian Government and the United States has been discussed at length at the meeting of June 29."

tive of Ireland. Another report was adverse to the application of Dr. C. Mori, a native of Japan. The reports were adopted.

With the president there were present Dr. W. H. Mays, John C. Lane and Fred C. Smith, members; C. Charlock, secretary; Miss Mae Weir, stenographer, and J. D. McVeigh, superintendent leper settlement.

Polo on Kauai.

An exciting game of polo was played at the Kapaa race track on last Thursday afternoon by the members of the Kauai Polo Club.

A team composed of James Spaulding No. 2, A. H. Rice No. 3, C. A. Rice No. 4, defeated a team composed of Count Bonzi No. 1, Philip Rice No. 2, Katina Lovell No. 3, and W. H. Rice Jr. No. 4, by a score of nine to nothing. C. A. Rice captained the winning team while Count Bonzi captained the other. The hitting on both sides was very weak and the Kauai boys will have to make a marked improvement in this particular if they wish to make a showing against Honolulu on the Fourth. Count Bonzi with more practice will make an excellent No. 1. James Spaulding who has improved greatly in his hitting, and is second only to Captain C. A. Rice, will be a good man at either No. 2 or No. 3. Among the spectators present were Mr. and Mrs. Fairchild, Countess Senni, Mrs. C. Rice and Mrs. Nakuna, W. H. Rice and party besides many others. The public are looking forward with a great deal of interest to the Fourth, when Kauai and Oahu will again cross mallets on the polo field.—Garden Island.

WM. LEWERS IS IN WASHINGTON

Mr. William Lewers, the good-looking young leading man in support of Edwin Arden at the Columbia, was born in Honolulu. He came to America in 1884 with his parents and his uncle, H. A. P. Carter, who was sent as minister plenipotentiary from Hawaii to the United States, and was here in Washington for six years. His cousin is the present Gov. Carter of Hawaii, who received his appointment from President Roosevelt.

Mr. Lewers was educated in Boston, and he became interested in the stage when very young. His father had serious objections to a stage career for his son, having mapped out a business life for him. The young man returned to Honolulu and made an attempt to carry out his father's wishes by going into business, but his heart was not in his work, so he finally gained his father's consent and returned to the United States, securing an engagement with Charles Frohman, making his first appearance on the professional stage in Lincoln, Neb., in 1892, in "Gloriana." Many of the members of that company have since become famous, among whom were Henrietta Crossman, May Bond, Thomas A. Wise and Edwin Stevens. The following season Mr. Frohman made him a member of the company known as Frohman's Comedians. William H. Crane, having seen his work, engaged him to play the part of Fenton in his production of "The Merry Wives of Windsor." After this he became a little discouraged, and left the stage to take up medicine, putting in two years at the study. His health began to fail, and so he returned to his home in Honolulu to recuperate. While there he met Daniel Frawley, who was in Hawaii with his company. He offered Mr. Lewers an engagement, which was too tempting to be resisted, and he accepted, going to San Francisco, where he appeared with this famous company.

Several years ago, while a member of Annie Russell's company in "Miss Hobbs," Mr. Lewers, in looking through his trunk one day, came across the suit he had worn as the bell boy in "Gloriana." Wishing to see how much he had grown since that time he tried the suit on and went down stairs to show it to some friends. While in the hall the door bell rang, so for a lark he opened the door. The caller happened to be May Irwin, who took Mr. Lewers for a "real" Buttons, and handed him her card to give it to the lady of the house. Not to be outdone he carried out the joke to the end, and many were the laughs at Miss Irwin's expense.—Washington Star.

Japanese Shimose Powder.

Reports received here from the Far East dwell at length upon the terrific power of the Japanese shimose powder, the nature of which is an absolute secrecy from all other powers. This is not used to propel the shot, but forms the bursting charge of the army and navy explosive shell. The result of the explosion has astounded the United States army observers. The heaviest army piercing shell with its small cavity is sent into countless thousands of sharp fragments, which are hurled through the air with such force that they tear through the sides of an iron ship as would a projectile from a machine gun. The Variegated Rockets were found to be added duck and water, fragments of these shells. It is said that no other nation so far as known, possesses such a terrific explosive.

CHILDERA INFANTUM.

This has long been regarded as one of the most dangerous and fatal diseases in which infants are subject. It can be cured, however, when properly treated. All that is necessary is to give a chamberlain's colic, cholera and diarrhea remedy and make of an extract with each bottle and a very is certain. Since this remedy has come into such general use, there are very few cases of childer's infanthum and colic what is known as colic is cured. For sale by all druggists and grocers. Price 25c per bottle. Write for circular.

JAPS SLEPT ON BEDS

Jessie Kaae is Blamed for Injuring the Carter Estate.

Edgar Henriques yesterday filed a suit in probate as representative of Thos. J. Carter, Henry C. Carter, Wm. L. Carter, Eunice K. Carter, Beatrix K. Carter, Albert E. Carter, Harriet K. Carter and Richard N. K. Carter, in which the petitioner sets forth that Margaret V. Carter died at Makao, Oahu, on January 15, 1903, leaving an estate, and the minor children since that time have been under his guardianship. Jessie K. Kaae was the executrix and on February 9, 1904, the Court revoked the letters testamentary held by her and ordered that she be removed as executrix, but the petitioner claims that she has disregarded the order and still acts as executrix. Jessie Kaae and her numerous relatives have been using the beds, furniture, piano and other personal property of said estate, have destroyed and broken a large quantity of same together with large quantities of china and fine crockery, and have abused the horses. Household goods generally are said to have been destroyed, carried away or lost. Japanese have been permitted to sleep in the beds. The property is deteriorating in value.

The said Jessie Kaae is without means, is financially irresponsible and has absolutely no business ability to handle the affairs of the said estate. The annual income, collected by said Jessie K. Kaae, is about \$1500 and no part of it has been applied by said Jessie K. Kaae toward the support or education of the minor children.

Henriques petitions that Henry W. Kinney be appointed as administrator.

SUPREME COURT TO ADJOURN TO MONDAY

(From Wednesday's Advertiser.)

Chief Justice Frear and Associate Justice Antone Perry, yesterday morning occupied seats on the benches of the Territorial Supreme Court room instead of their usual chairs on the dais. They were without their gowns of office and there was apparently a question of jurisdiction based on the point whether the justices were still in existence their commissions having expired on June 5 or whether, under the Organic Act which took effect on June 14 their appointments still held valid as dating from the Organic Act's actual existence rather than the signing of their commissions.

There was of course no uncertainty as to the existence of the court but no cable appointments having arrived at that time the question of the holding of office was waived by the laying aside of the robes.

By order of Chief Justice Frear the court was adjourned until this morning, when it will adjourn again until Monday pending the arrival of Justice Hatch.

UNEARTH'S ANOTHER DEFECTIVE TITLE

Following the hearing of Ida T. Castle's petition for a Torren's title of Kapiolani Park land it has developed that Mrs. C. A. Spreckels has a possible title in forty acres of valuable Waikiki property.

This is an eighteenth interest in thirty-five acres of land mauka of the Hatch and adjoining properties and a ninth interest in some beach property. Mrs. Spreckels has until the last day of this month in which to make her claim or ask for a continuance. Judge Weaver in his opinion thinks it probable that a cure for the defect will be found in partnership proceedings.

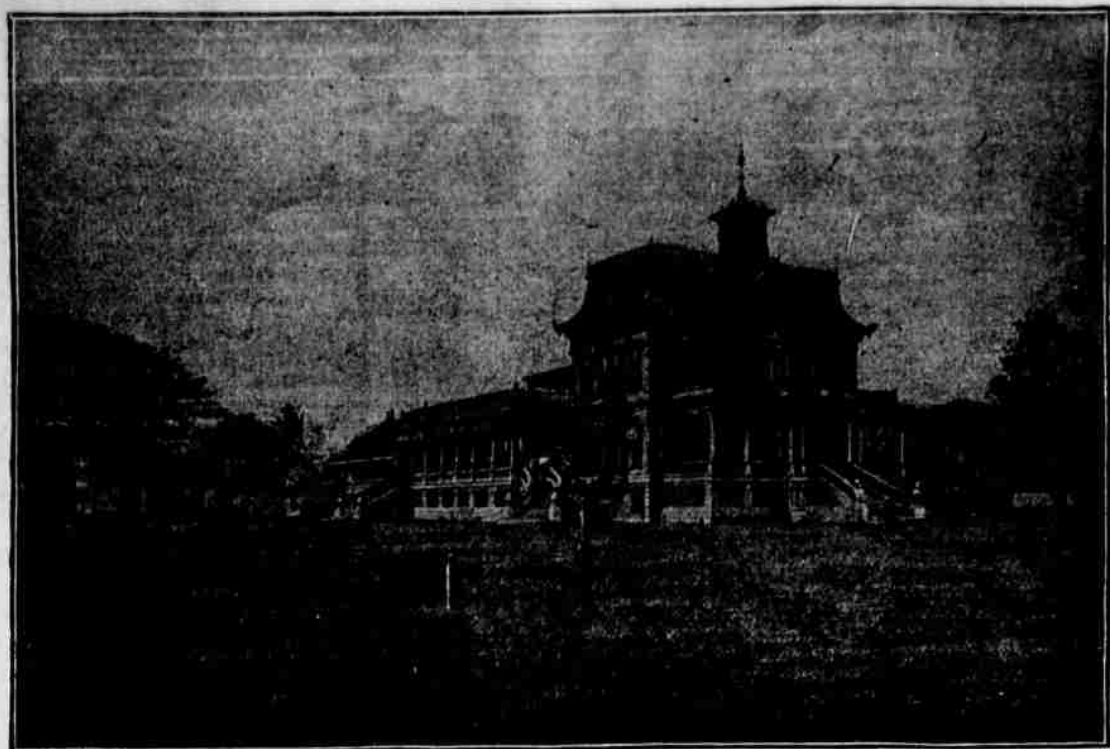
Caves of Kauai.

The interesting account of the caves of Haena in the last Garden Island brought a subject to the public attention which has been too little noticed. These caves are indeed wonderful and open up at the seabase of a gigantic mountain. The ocean at one time roared through their depths and the only mode of access was by diving through the water. Once it was probably an aquatic feat among Hawaiian swimmers to dive down and come up in their caverns. The mountain scenery of Haena and Waialeale is next in grandeur only to the scenery of Hanalei, and the trip on horseback from Hanalei to these caves and other points of beauty in the Waialeale mountains is one of the prettiest rides on the whole island.—Garden Island.

CHILDERA INFANTUM—This has long been regarded as one of the most dangerous and fatal diseases in which infants are subject. It can be cured, however, when properly treated. All that is necessary is to give a chamberlain's colic, cholera and diarrhea remedy and make of an extract with each bottle and a very is certain. Since this remedy has come into such general use, there are very few cases of childer's infanthum and colic what is known as colic is cured. For sale by all druggists and grocers. Price 25c per bottle. Write for circular.

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HIGH SCHOOL COMMENCEMENT



THE HONOLULU HIGH SCHOOL.

(From Wednesday's Advertiser)

The Commencement Exercises of the Honolulu High School, class of 1904, were carried out last evening with a success that reflected great credit upon both the officials of the school system and the students who have secured their diplomas from the institution.

Progress Hall was effectively decorated for the occasion in both class and school colors. The front of the stage was draped with scarlet poinciana set in their natural foliage while asparagus fern led to poinciana blooms caught in netting which framed the proscenium arch. At the back of the stage hung the class flag of vivid red with the significant figures "04" prominent upon it, framed in palms and surmounted by the class motto Fortiter, fideliter, fortasse, feliciter. On the walls on either side of the stage hung the school banner of black and gold and the emblem of the class, a scarlet diamond with the lettering H. H. S. '04 all worked in flowers in a copy of the class pin.

An excellent program was provided for the parents, relatives and friends of the graduating class and the school at large. The fifteen who were to secure diplomas occupied chairs on the platform with Professor Scott, the Rev. George L. Pearson and W. R. Castle. The chairs in front seated Acting Governor Atkinson, Superintendent of Public Instruction Alatau Atkinson and the Board of Commissioners. The left wing was filled with scholars and the remainder of the hall filled with friends.

Those who graduated and received their testaments last night were:

Latin-Scientific Course, Mabel Anita McAndrews, Davida May McCartney, Florence Barry Smith, Ottelyn Harriet Smith, Francis Douglas Mahone, Young In, Ruth Cornelia Shaw, Vitaro Mitamura.

English Course—Jennie Hill Macaulay, Edgar Nelson Young, Albert Jay Greene, George Lyeurgus Uyemura, Helen Johnson, May Gray Ferguson.

Commercial Course—Annie Lois Dow.

The program opened with a short invocation by the Rev. George L. Pearson who, briefly referring to the pleasant happy associations of the days now gone by and the brighter, happier prospects of a more useful life, spoke of the great and noble institution of the High School, a blessing to the welfare of humanity, of the good and strong men and women who undertook the work of instructing the youth of the land. He tendered thanks for the results which brought good to the Territory at large and invoked a blessing upon the graduates now looking towards broader fields, upon the teachers and all who lent their influence towards the work of education.

Following the invocation the scholars arose and in orderly fashion ranged themselves in front of their audience singing a part song of Lehnert's, the "Nightingale and Rose," with marked precision of time and tune.

Miss Davida May McCartney delivered the salutatory in happy vein welcoming in the name of the graduating class those present. "Graduation," said the fair speaker, "is to us an event of momentous import. Closed to us are the school days with all their period of wise guidance from beloved teachers. Before us lies the stage of life upon which each and every one of us must make our mark in such fashion, we hope, as not to disappoint our elders. Some of us enter directly upon business pursuits, others go to college for still further guidance, all of us under the care of the Great Ruler of the Destinies. To you, Commissioners, teachers and our late fellow scholars, in the name of our class, farewell."

Miss Agnes Lyle, soprano; Mr. Uyemura, tenor, a graduate, and Mr. Schmidt, bass, rendered to the pleasure of everybody a trio, "The Mariners," by Handager. Mr. Francis D. Mahone followed with a well balanced and carefully thought out essay, "A College Education for a Business Man."

"The Greeks," said the young essayist, "valued education for itself; they had no worldly ideas about its worth. Nowadays education is acquired as an asset. College education is generally granted to a young man in the hope that it will enable him to secure a better position in the business world."

college man waits some four years longer, during which time the High School boy has been learning the business and then disposes to assume a position beneath that occupied by a man of inferior education.

"The High School boy has however a tendency to specialize and has not the wider horizon of the college man nor the latter's adaptability to take hold of any department with some pre-knowledge of its requirements. The broader studies of the college man too enable him to refresh his mind with other studies when his work palls upon him.

"Colleges, however," concluded the speaker, "are rapidly taking a more generous view of such matters and many as Chicago, Vermont, Illinois, Iowa, Wisconsin and others are teaching commercial courses as a part of their regular curriculum. Electrical concerns and insurance companies often send men to college commencements to select the brightest of the graduating classes. If a man can take up a college education in the right spirit and without becoming a burden upon those at home he will never regret the time and money he has spent upon it."

Miss Agnes Lyle contributed Ardit's valse "L'Ardita," with much brilliancy of effect and pure quality of voice, the selection being a very agreeable feature of the evening and one greeted with hearty applause.

The valedictorian, Miss Ottelyn Smith, proved a young lady of prepossessing appearance and a particularly pleasing delivery which considerably enhanced the subject matter of her oration, the quality of which guaranteed the speaker's claim to be valedictorian of her class. Miss Smith chose as her theme the development of the Public High School deeming a review of its growth not inappropriate to the occasion and her well chosen periods were listened to with interested attention.

"The Public High School course of today," said the speaker, "is about equal to the collegiate course of a few years ago. In the colleges of earlier days liberal time was bestowed upon the dead languages to the practical exclusion of English, little was read of history or the literature of our own nations. The academy was the next step towards the Public High School, the first of which institutions was started at Boston in 1821. In the Southern States many disagreed as to the necessity of the government providing a liberal education and thought the system of district schools then in vogue all sufficient. Yet in those same States today 1300 Public High Schools now flourish while the United States boasts a total of 6,000.

"The High School makes good citizens, good men and women for private life who do much for the general development. Many of the best editors of the country and other prominent men have had only a High School education. The study of English, our principal means of thought and communication, is preeminent in the High School course, with mathematics, the foundation of all sciences while the business department course needs no recommendation.

"One thing should be particularly remembered of the teacher's precepts, that what we do for ourselves is best whether in the solution of geometrical or life problem. The class with true attachment and regard for the head of our institution, with true affection for our teachers we bid to all a fond 'aloha.'"

In introducing the speaker of the evening Professor Scott stated that he had often wished to get in the position where he could make public acknowledgment of the debt owing Mr. Castle for the grounds, building, central, local and grand possibilities of the High School secured when Mr. Castle was president of the Board of Education and by his tact, good sense and diplomacy secured the purchase at a nominal figure. "It was only fitting," concluded Mr. Scott, "that Mr. Castle deliver the address in the graduating class."

Mr. Castle deprecated the idea that he alone was responsible in securing the High School premises. He pointed out that Mr. Atkinson and Professor Alexander had shared that honor and that the school had been built on the site of the old school building which had been purchased by the State in 1821.

himself had intended to convey." Mr. Castle continued as follows:

MR. CASTLE'S ADDRESS.

About fifty years ago a traveler in the southwest arrived late Saturday night in a dusty hamlet. Inability to get any conveyance away, compelled him to remain over Sunday. All of the population congregated in the one place of public resort, and curiosity put him there with them. A traveling "Hard Shell Baptist" preacher had come to town also, and he preached. Several times during his talk he interjected the unconnected sentence, "I thank the Lord that I haint got no education!" This statement, so amusing and surprising to us, was, after all, only giving voice to a common sentiment.

Education was considered to be well enough for those who had time and money to devote to getting it, but it was not part of the practical life of the masses. Educated men were looked upon as proud and as feeling superior to most of the people. With what college education then gave, they were not unjustly regarded as more ornamental than useful. The college graduate who tried to do "practical" things, as practical was used in those days, was laughed at.

In business, merchants and manufacturers were looking for what they called practical men. By this they meant persons who had been trained in doing certain things, without regard to whether they were educated or not. They were on the lookout for geniuses. It was of very little importance whether a man knew anything about the facts of history, or the composition of colors, or the rules of higher mathematics, if he could add a column of figures correctly and rapidly, or put yarns into looms in the right combinations.

The preacher who could read Latin, Greek, Hebrew and perhaps some other tongue; who had some critical powers and was able to put scripture in every day language, was looked upon coldly. Education was not regarded as of so much importance, as a call from the Lord. He might in fact mistake a bad case of indigestion for the "call," and preach loudly and earnestly, but if he convinced his listeners that he was "called," education was regarded as standing in the way, rather than as a help. So the preacher away off in the southwest did not want his hearers to mistake the sources of his eloquence. They were from the Lord, not education.

If a boy had mastered the three Rs, and could read, write and cypher, he had enough. Less than that was sufficient for the girls. That a man was a college graduate did not assist him materially in beginning the struggle for existence, to get a position in any business life. It is not even certain that it gave him a marked advantage with the village school committee in securing a place to teach in the winter school.

The common schools as well as higher grades, and even the colleges reflected the popular views of education. All were satisfied with low attainments.

This was before the Civil War in the United States. Most of the States had laws on education which were thought to be sufficient to prevent general ignorance. But in practice, the majority of the population was content with the merest rudiments. It was all a part of the youth of the nation; with age and democratic institutions a change was sure to come.

It came with startling abruptness. At the close of the war, the nation was confronted with the problem of what to do with five millions of freed negroes—all densely ignorant. At the same time there was an immense increase in immigration from Europe. On democratic theories all of these people had a right to a voice in government; yet nothing was more patent than the fact, that almost to a man, they were not fit to be trusted with the ballot. This necessarily gave a tremendous impetus to popular interest in education. Something had to be done to teach these people what it meant to vote, or ruin threatened our institutions. By the laws the stranger could obtain naturalization in a very short time and then, ignorant as he still remained, the ballot was placed in his hands and he was told to go and vote! The same was true of the negro; as soon as the war was over he was enfranchised. The fitness of either voter is illustrated by the story of the Irishman who, walking out of court with his naturalization papers in his hands, was asked how he intended to vote. After a moment's hesitation he asked: "Have you got any government in this country?" On being assured that there was one, he replied: "Thin O'im goin to vote agin the government!"

Still another cause of the awakened interest was the demand of women for education and recognition as the equal of men in all things. They wanted to vote and recognized, perhaps more wisely than the men, that an intelligent democracy must have education. They also demanded co-education, and the sharpness of that controversy has not yet wholly abated. What has however been accomplished is shown by the results. In nearly all of the higher schools west of the Atlantic tier of states it is now permitted, and the young women do not have to apologise for their presence either. Instead of that the young men are compelled to do some very hard work to hold their own and they do not always do that, if the school statistics of the United States are to be trusted. The echoes of this controversy have not yet died away. The advocates of co-education have not gained all they wanted, but it all has quickened interest in the subject.

The great strides which have been made on the lines of industrial education, have had a large share in forcing attention to this vital topic. When the schools taught languages, ancient history and similar branches only, the laboring man gave little heed to them, as not being in his line. But when his son could be taught to build a house, weld iron, shoe a horse, handle the plow, the school suddenly assumed a personal interest and entered at once into his life. It became a force which was useful to him. He could realize and appreciate its possibilities. It gave him a new standing ground, vastly widened the scope of his earning power, enabled his children to rank with the children of those in more favored positions.

With attention directed to all that education might do, working men added an immense number to the ranks of those to whom education presented new attractions. The demand for industrial and technical schools has increased so that it nearly exceeds the supply. The variety in training has grown so that today the student can somewhere get instruction in nearly every walk of life. In 1900 I witnessed the conferring of degrees on graduation at Harvard University. There were several grades or kinds of classical degrees, lawyers, doctors, dentists, veterinarians, foresters, engineers of mining, machinery, civil engineers and others in science and art.

The increase in the lines of commerce of the world has also vastly added to interest in education. Competition has compelled better work. Better work has made it necessary that the workman should not only know his tools but the tools of the man who is trying to undersell him.

Working over a village forge, or in the factory or machine shop does not give this knowledge. It must be obtained by observation and comparison. This means visits to other countries. The cheapest and best way to get his knowledge is to bring together the results of the observation of others. This means schools and it means teachers of higher grade and capacity, who ought to be better paid than their predecessors of fifty years ago. Shall I add—and who ought not to be taxed to pay for the errors and mistakes of others.

Still another result of the increasing interest in education, and which again by reflex action has added to the flame at home, is the adoption by other nations of our best work. Japan's unique and brilliant position among the nations of the world today, is the result of her intelligent appreciation of the power which enlightened education gives. It is true that Japan is not yet universally educated, but it has adopted a school system which in time will have the results that the same system has in other enlightened countries. If I am correctly informed, the learned principal of the Honolulu High School has the honor of having established a school system for Japan, after adapting methods to the divergent needs of that country. The splendid record that nation is now making, not only in the war with retrogressive Russia, but in all lines of commercial, social and industrial development, is due to her application of the results of education.

Time might be spent in detailing other causes for the wonderful advances made in the past few decades, but it is unnecessary. The fact remains and is sufficient, that education occupies a different and very much higher position than when our southwestern preacher thanked the Lord that he had none of it.

It is no longer true that the educated man or woman reaps no special advantage from education. On the contrary, it is a direct assistant. Most branches of industry have so developed along scientific lines that men of education are required to conduct them. Mining in America used to consist of a little scratching of the surface, a little delving into the rocks, saving and using only the richest ores and pans of earth. Today the debris piles dumped outside as worthless in those old and wasteful days, are veritable mines of wealth. Old soils, given up as exhausted and unproductive, are now yielding rich crops and giving life to thousands. Improved machinery is making dividends, where the manufacturer used to wait and hope for high prices for his commodities. Sugar growing and making, under our own eyes has so changed that if the planter of forty, or even thirty years ago, returned today, he would be lost and bewildered. Once we were content with two or three tons of sugar to an acre of cane. Today we are not content with less than six, seven or even eight tons from the same ground, yet we have the same sunlight and rain, the same lands, that our fathers possessed.

Man has now chained the lightning to his chariots, and has caused it to be his servant. It carries his news, warms his house, cooks his meals, and in countless ways does his bidding; once a fearful master, now a willing and faithful servant.

What has made this wonderful change? It is education; and the possibilities yet before us are sufficient to stimulate the most sluggish imagination. What will the first days of the next century witness as the accomplishment of the present? The possibilities are almost overpowering!

The last days of school training are sometimes apt to find the pupil full of elation, or weighed down with depression. The very practical question of, "What next?" is presented to each.

People often make the mistake that the education is finished with the last day of school. The object of preparatory schools is to prepare one for taking hold of life and preparation has only commenced with the end of school days. Those who can, would do well to take further school training. The various technical schools offer courses that should fit the graduate to take hold at once of life's duties and become an earner instead of a spender merely. The increase in industrial requirements is such that today it is said in the United States that graduates are in immediate demand. I have known of more than one graduate from the Columbia School of Mines who has at once stepped into an important position with a good salary. In Hawaii we have a constant need of scientific training to be applied practically at the sugar plantations in various departments. Today a chemist is as necessary as the manager. He who can invent and properly compound requisite fertilizers is also sure of a good income. The entomologist should find employment in devising ways and means to overcome the floods of insect enemies and parasites which come with every importation of foreign commodities and find here virgin soil in which to thrive.

The rewards of education are now such that, instead of being educated in order to appear well in society, to shine socially, or as a writer, it pays commercially. A young man once asked Daniel Webster whether it would pay to study the law in view of the great overcrowding of the profession. His reply was brief and to the point. "There is always room upstairs." This is true in every department of life and the earnest, faithful student will find more than a satisfied conscience to repay his labor.

Lives of great men all remind us. We can make our lives sublime, And departing leave behind us, Foot-prints on the sands of time.

Let us then be up and doing, With a heart for any fate, Who scorn to find ourself among, Cowards and shrunks and nits.

Before you passing the diploma this year, let me say to you, that you are to be a part of the future of our country.

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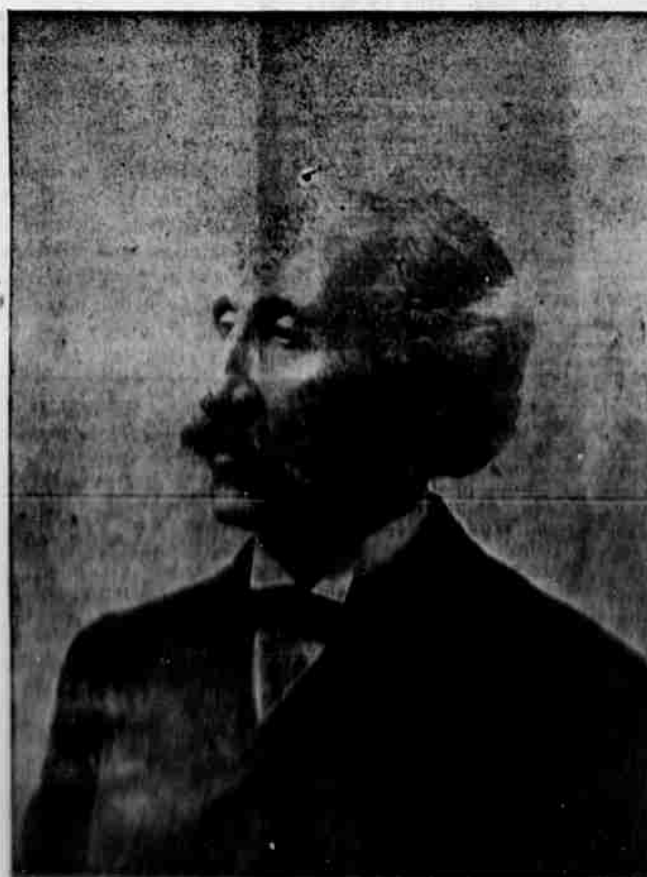
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